



Government Motion – Motion Kit

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Motion: Invocation of Emergencies Act

Responsible Ministry: Minister of Public Safety and Minister of Justice

Summary of Motion:

This motion upholds the Government's invocation of a public order Emergency under section 17 of the *Emergencies Act*

Government Lead:

Hon. Marco Mendicino (Public Safety)

Hon. David Lametti (Justice and Attorney General)

Hon. Chrystia Freeland (Deputy Prime Minister and Minister of Finance)

Parliamentary Secretaries:

Pam Damoff (Oakville North-Burlington)

Gary Anandasangaree (Scarborough-Rouge River)

Terry Beech (Burnaby North-Seymour)

Key Messages:

General

- For almost three weeks now, blockades have been illegally disrupting the life of Canadians, harming our economy, and endangering public safety.
- It is now clear that there are serious challenges to local law enforcements' ability to effectively enforce the law.
- We are invoking the Emergencies Act to supplement Provincial and Territorial authorities to address the blockades and occupation to keep Canadians safe, protect people's jobs, and restore confidence in our institutions.

If pressed on measures:

- Through the Emergencies Act, we are providing new authorities to law enforcement to regulate crowds, prohibit blockades and keep essential corridors open.
- The Emergencies Act allows the government to mobilize essential services, such as tow trucks, allows the RCMP to act more swiftly to enforce local laws, and provides enhanced power to stop the flow of money.
- These measures are targeted, temporary and proportionate. We are invoking them only after exhausting all other options.
- This is about keeping Canadians safe, protecting people's jobs and restoring confidence in our institutions.

If pressed on financial measures:

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- We are broadening the scope of Canada's anti-money laundering and terrorist financing rules so that they cover crowdfunding platforms and their payment service providers, including those using digital assets such as cryptocurrencies.
- The government is issuing an order with immediate effect authorizing Canadian financial institutions to temporarily cease providing financial services where the institution suspects that an account is being used to further the illegal blockades and occupations.
- We are directing Canadian financial institutions to review their relationships with anyone involved in the blockades and report to the RCMP or CSIS.
- Corporate accounts related to the illegal blockades will be frozen and the vehicle insurance will be revoked.
- This is about keeping Canadians safe, protecting people's jobs and restoring confidence in our institutions.

If pressed on impact on businesses:

- The situation in Ottawa, and at borders across the country, has become untenable.
- Our government is not settling for ongoing disturbances that have caused deep harm to Ottawa residents and businesses, and to our broader national economy.
- While Canadians have a right to protest – that our government will always defend fiercely – that right does not extend to occupying streets, breaking laws, and shutting down major trade corridors.
- We urge all of those who are outside and who are at our borders to go home. You have been heard and you are better served elsewhere.

If pressed on economic impact of blockades:

- This occupation and these blockades are causing serious harm to our economy, to our democracy, and to Canada's international standing. The world's confidence in Canada as a place to invest and do business is being undermined.
- The blockade of the Ambassador Bridge has affected about \$390 million in trade each day. This bridge supports 30 percent of all trade by road between Canada and the United States, our most important trading partner.
- In Coutts, Alberta, about \$48 million in daily trade has been affected by the blockades.
- In Emerson, Manitoba, about \$73 million in daily trade has been affected by the blockades.
- Those impacts are real. They threaten businesses big and small, and they threaten the livelihoods of Canadian workers.

If pressed on asset freezing:

- What we are facing today is a threat to our democracy, to our economy, and to peace, order, and good government in Canada. This is unacceptable.
- This is why our government has authorized Canadian financial institutions to temporarily cease providing financial services where the institution suspects that an account is being used to further the illegal blockades and occupations.
- This is about stopping the financing of these illegal blockades. The Government of Canada is hereby serving notice: if your truck is being used in these protests, your corporate accounts will be frozen. Your insurance on your vehicle will be revoked.
- Send your semi-trailers home. The Canadian economy needs them to be doing legitimate work, not to be illegally infringing upon the freedoms of others.

If pressed on the military:

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- The Emergencies Act does not involve the military – that is under the National Defence Act which is not what we’re invoking today.
- This is about keeping Canadians safe, protecting people’s jobs and restoring confidence in our institutions.

If pressed on the Charter:

- The specific measures provided via the Emergencies Act are limited, subject to numerous checks and safeguards through Parliament, and must be compliant with the Canadian Charter of Rights and Freedoms.

If pressed on parliamentary oversight:

- Having now declared a public order emergency, we will table the declaration in Parliament, as required, within seven sitting days.
- Our Government is conscious of the need for transparency and Parliamentary oversight as we undertake this action, and will provide Parliament timely information so that it can perform its oversight role.
- In the coming days, a Parliamentary Committee will be struck to provide oversight while the emergency is in effect.
- The declaration only lasts for 30 days, unless renewed. However, we can – and sincerely hope to – revoke the state of emergency much sooner.
- Parliament also has the ability to revoke the declaration of the emergency, as set out clearly in the Act.

Position Rationale:

Canada is a rule-of-law country. By declaring a Public Order Emergency under the Emergencies Act, we followed the law and are acting within it. There are clear conditions set out in the Emergencies Act in order for a Public Order Emergency to be declared. Our government believes those conditions have been met, and that required the Government of Canada to act.

The Emergencies Act contains several safeguards and safeguards, including parliamentary review. Actions taken under the law must respect the Canadian Charter of Rights and Freedoms.

The scope of these measures will be time-limited, geographically targeted, as well as reasonable and proportionate to the threats they are meant to address. The Emergencies Act will be used to strengthen and support law enforcement agencies at all levels across the country. This is about keeping Canadians safe, protecting people’s jobs and restoring confidence in our institutions.

The following six measures have been brought in to bring this matter under control:

- Regulation and prohibition of public assemblies that lead to a breach of the peace and go beyond lawful protest. What we are seeing in Ottawa and at the Ambassador Bridge are not lawful protests;

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- Designating and securing places where blockades are to be prohibited (this could include borders, approaches to borders, other critical infrastructure, Ottawa);
- Directing persons to render essential services to relieve impacts of blockades on Canada's economy (this could include tow trucks and their drivers, for compensation);
- Authorizing or directing financial institutions to render essential services to relieve impact of blockades, including regulating and prohibiting the use of property to fund or support the blockades ;
- Measures enabling the RCMP to enforce municipal by laws and provincial offences where required; and
- The imposition of fines or imprisonment for contravention of any order or regulation made under section 19 of the *Emergencies Act*

The Emergencies Act also contains a number of significant limits, checks and safeguards. As required by the Act, on several occasions over the past week, the Prime Minister and members of Cabinet consulted with the Premiers and members of their respective governments. Having declared a public order emergency, we tabled the declaration in Parliament.

In the coming days, a Parliamentary Committee will be struck to provide oversight while the emergency is in effect. The declaration only lasts for 30 days, unless renewed. However, we can – and sincerely hope to – revoke the emergency much sooner.

Parliament also has the ability to revoke the declaration of the emergency, as set out clearly in the Act. It also has the power to amend or revoke any order made under the Act. Orders must be tabled in Parliament within two days for review of Parliamentarians.

CPC Position:

Oppose

BQ Position:

Oppose

NDP Position:

Support

For additional information, please contact:

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Irrelevant

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